



Certification of Mailing  
I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being mailed or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Name: Theodore P. Cummings 40,973  
Registration No. (if applicable)  
Signature: [Signature]  
Date: 11-3-04

AF IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/851,040  
Applicant(s) : Stephen P. Zimmerman, et al.  
Filed : May 8, 2001  
Title : SNACK PIECE DESIGN HAVING INCREASED  
PACKED DENSITY  
TC/A.U. : 1761  
Examiner : Drew E. Becker  
Conf. No. : 2167  
Docket No. : 8072M  
Customer No. : 27752

NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is \$340.00 (37 CFR 41.20(b)(1)).

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

I am an attorney or agent of record.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

Theodore P. Cummings  
Registration No. 40,973  
(513) 634-1906

Date: November 3, 2004

Customer No. 27752

11/09/2004 CNGUYEN 00000021 162480 09851040

01 FC:1401 340.00 DA



# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/851,040
Confirmation Number	2167
Filing Date	May 8, 2001
First Named Inventor	Stephen P. Zimmerman, et al.
Examiner Name	Drew E. Becker
Art Unit	1761
Attorney Docket No.	8072M

TOTAL AMOUNT OF PAYMENT (\$340.00)

## METHOD OF PAYMENT

1. ☒ The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:

Deposit Account Number: 16-2480

Deposit Account Name: The Procter &amp; Gamble Company

## FEE CALCULATION

### 1. BASIC FILING FEE - Large Entity

Code (\$)	Fee Description	Fee Paid
1001 790	Utility filing fee	<input type="checkbox"/>
1002 350	Design filing fee	<input type="checkbox"/>
1004 790	Reissue filing fee	<input type="checkbox"/>
1005 160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$)[0]

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims <input type="checkbox"/> - 20** =	<input type="checkbox"/> x	<input type="checkbox"/>	= <input type="checkbox"/>
Independent Claims <input type="checkbox"/> - 3** =	<input type="checkbox"/> x	<input type="checkbox"/>	= <input type="checkbox"/>
Multiple Dependent		<input type="checkbox"/>	= <input type="checkbox"/>

\*\* or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 88	Independent claims in excess of 3
1203 300	Multiple dependent claim, if not paid
1204 88	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$)[0]

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053 130	Non-English specification	<input type="checkbox"/>
1812 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251 110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>
1252 430	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>
1253 980	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>
1254 1,530	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>
1255 2,080	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>
1401 340	Notice of Appeal	<input checked="" type="checkbox"/>
1402 340	Filing a brief in support of an appeal	<input type="checkbox"/>
1403 300	Request for oral hearing	<input type="checkbox"/>
1451 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452 110	Petition to revive - unavoidable	<input type="checkbox"/>
1453 1,370	Petition to revive - unintentional	<input type="checkbox"/>
1501 1,370	Utility issue fee (or reissue)	<input type="checkbox"/>
1502 490	Design issue fee	<input type="checkbox"/>
1460 130	Petitions to the Commissioner	<input type="checkbox"/>
1807 50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>
1806 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809 790	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810 790	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801 790	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802 900	Request for expedited examination of a design application	<input type="checkbox"/>
1454 1370	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
	Other fee (specify) _____	<input type="checkbox"/>
	Other fee (specify) _____	<input type="checkbox"/>

\* Reduced by Basic Filing Fee Paid SUBTOTAL(3) (\$) [340]

## SUBMITTED BY

Name (Print/Type)

Theodore P. Cummings

Registration No.

40,973

## Complete (if applicable)

Telephone

(513) 634-1906

Signature

Date

11/03/2004

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.